



IFW

**INFORMATION  
DISCLOSURE  
STATEMENT**

Application #	10/599,728
Confirmation #	3322
Filing Date	October 6, 2006
First Inventor	BLOTT
Art Unit	
Examiner	
Docket #	P09073US00/MP

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**This IDS is submitted pursuant to 37 CFR. §1.97-1.98 and includes the following:**

- A listing of the references on PTO-1449.
- A copy of all **non-US** references which are listed on the PTO-1449 (US refs not required).
- A copy of a corresponding foreign **Search Report** which explains the relevance of the references noted therein.
- A copy of the **Written Opinion of the International Searching Authority**.

**Please note the following particulars concerning the filing of this IDS:**

- 1. This IDS is filed at whichever is the latest of:
  - within three months of the filing date of a NATIONAL APPLICATION other than a CPA, or
  - within three months of the date of entry into the NATIONAL STAGE as set forth in 37 CFR. §1.491 in an international application, or
  - before the mailing date of a first Office Action on the merits or after filing of an RCE (*but if a first Office Action is mailed but not yet received and the date on the face of the attached foreign communication makes it evident that this IDS is submitted within three months from the mailing of the search report, then applicant is entitled to have this IDS considered under 2.B. below and such boxes should be considered as having been checked*).

- 2. This IDS is filed **after a first Office Action**, but before a Final Action, Allowance, or any other action which closes prosecution, **and**:
  - A. Is accompanied by a payment in the amount of \$180.00 required by 37 CFR. §1.17(p).

or

- B. I hereby state that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- C. I hereby state that no item of information in this IDS herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR. §1.56(c) more than 3 months prior to the filing of this IDS.
- D. An appropriate Statement is attached.

3. This IDS is filed **after** a final action or allowance, but on/before payment of the issue fee, and:

A. is accompanied by a payment in the amount of \$180.00 required by 37 CFR. §1.17(p).

and

B. I hereby state that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

C. I hereby state that no item of information in this IDS herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR. §1.56(c) more than 3 months prior to the filing of this IDS.

D. An appropriate Statement is attached.

4. This IDS does not comply with 37 CFR 1.97-1.98, and is being filed for placement in the file pursuant to 37 CFR. §1.97(i). .

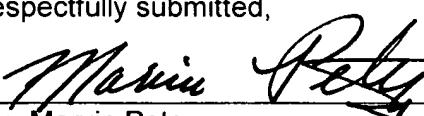
5. It will also be appreciated that:

- a. It is believed that this IDS complies fully with 37 CFR 1.56 and 1.97-98 and with MPEP § 609; but if for some reason it does not and will not be entered, the examiner is requested to telephone the undersigned so that any deficiency can be timely remedied.
- b. Some of the documents may have markings thereon, but no significance should be attached to those markings.
- c. These documents are not necessarily analogous art.
- d. Where an English language translation of an abstract is provided from a public source, applicant cannot vouch for the accuracy of that translation.

6. If no payment is enclosed and a fee is due in connection with this communication or if the payment enclosed is insufficient, the Director is authorized to charge any fee or additional fee due with this communication to Deposit Account No. 12-0555.

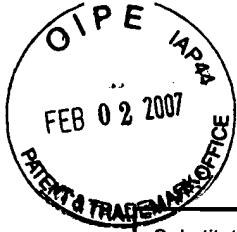
Respectfully submitted,

Date: February 2, 2007



\_\_\_\_\_  
By: Marvin Petry  
Registration No.: 22752

**STITES & HARBISON PLLC** • 1199 North Fairfax St. • Suite 900 • Alexandria, VA 22314  
TEL: 703-739-4900 • FAX: 703-739-9577 • CUSTOMER NO. 00881



Substitute for Form 1449A/PTO

 INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

Sheet 1 of 1

Application #

10/599,728

Confirmation #

3322

Filing Date

October 6, 2006

First Inventor

BLOTT

Art Unit

Examiner

Docket #

P09073US00/MP

## U.S. PATENT DOCUMENTS

Exam. Initial*	Document No. Number - Kind	Publ. Date MM-DD-YYYY	Name Patentee or Applicant	Relevance Passages/Figs.
	US-2002/0161346	10-31-2002	Lockwood et al.	
	US-2003/0021775	01-30-2003	Freeman	
	US-6,458,109	10-01-2002	Henley et al.	
US-				

## FOREIGN PATENT DOCUMENTS

Exam. Initial*	Country-Number-Kind	Publ. Date MM-DD-YYYY	Name Patentee or Applicant	Translation
	DE-39 35 818	05-02-1991	NEHER WOLFGANG DR	English Abstract
	DE-41 02 684	08-06-1992	IONTO CONMED GMBH	English Abstract

## NON PATENT LITERATURE DOCUMENTS

Exam. Initial*	Include NAME of the author (in CAPS), Title of Article/Item, Date, Page(s), Volume-Issue No., Publisher, City and/or Country where published	Trans-lation

Examiner Signature

Date Considered

\* Examiner: Initial if considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.